

## **Committee Report**

**Item No: 6A**

**Reference:** DC/22/02328

**Case Officer:** Jasmine Whyard

**Ward:** Lavenham

**Ward Member/s:** Cllr Arthey and Cllr Maybury

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## **RECOMMENDATION – GRANT FULL PLANNING PERMISSION SUBJECT TO CONDIITONS**

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### **Description of Development**

Full Planning Application - Erection of and installation of community heat network and associated development.

### **Location**

Chilton Woods Mixed Development to the North of, Woodhall Business Park, Sudbury, Suffolk

**Expiry Date:** 20/02/2023

**Application Type:** Full

**Development Type:** Major Large Scale - All Other

**Applicant:** Taylor Wimpey (East London) Limited

**Agent:** Savills

**Parish:** Chilton

**Site Area:** 0.08 hectares

**Details of Previous Committee / Resolutions and any member site visit:** None

**Has a Committee Call In request been received from a Council Member:** No

**Has the application been subject to Pre-Application Advice:** Yes

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason/s:

i) Under the Council's Planning Charter and Protocol for the use of Delegation, the proposed development is a major renewable energy development as defined by Government guidance and is recommended for approval.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

#### **The Development Plan**

The following policies are considered the most important to the determination of this proposal. The policies are all contained within the adopted development plan for Babergh District which is comprised of: Babergh Core Strategy (2014) and saved policies from the Babergh Local Plan Alteration No.2 (2006). All Policies are afforded full weight in the determination process as they are, *inter alia*, considered wholly consistent with the policies of the NPPF (having regard to paragraph 219 of that document).

- **Babergh Core Strategy (2014)**

CS1- Applying the Presumption in Favour of Sustainable Development in Babergh

CS2- Settlement Hierarchy

CS4- Chilton Woods Strategic Land Allocation and Strategy for Sudbury/ Great Cornard

CS13- Renewable/ Low Carbon Energy

CS15- Implementing Sustainable Development in Babergh

- **Saved policies' (2009) of Babergh Local Plan Alteration No.2 (2006)**

CN01- Design Standards

CR07- Landscaping Schemes

CP01- Chilton Mixed Use Development Package<sup>1</sup>

#### **The National Planning Policy Framework**

The National Planning Policy Framework (NPPF) 2021 contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law nonetheless requires applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes.

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Development Plan area.

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<sup>1</sup> But this policy must in effect give way to policy CS4 bearing in mind its age and the requirements of s38(5) of the PCPA 2004.

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## **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

### **A: Summary of Consultations**

As a technical point it is noted that during the lifetime of this application, the application type has been changed from a 'reserved matters application' to a 'full planning application'. The reasons for this agreed change are set out below within this report and it is considered that this has been undertaken without prejudice to any interested party. As such the application has been re-advertised. A re-consultation was sent to below consultees which closes on the 13<sup>th</sup> December.

A new site notice was also displayed, with the consultation period ending on the 14<sup>th</sup> December, as such some additional/ revised consultation responses may be received following the publication of this report. Any such comments received will be reported to Members via tabled papers or verbally at your committee meeting.

### **Town/ Parish Council Responses**

- **Acton**  
Object and support the earlier comments made by Chilton Parish Council.
- **Chilton Parish Council**  
No updated response has been received at the time of writing.

*Officer note: an earlier response was received when this application was in the format of a 'reserved matters' application. Chilton Parish Council objected and recommend refusal on the basis of 1) the application is contrary to the outline permission, 2) a non-material amendment has been made to the LUPP, 3) TW are using up public open space and the non-material amendment is material, 4) lack of public consultation, 5) heat hub should be located on employment land, 6) eroding community woodland and open space, 7) unclear distances used in noise assessment, 8) industrial appearance and landscape impacts 9) insufficient noise assessment, 10) no ecological net gain, 11) EIA should be conducted, 12) unclear location, 13) unclear what pre-application discussions have been had, 14) No justification of chosen location provided.*

- **Great Waldingfield**  
Supports heat hub subject to landscaping and residential amenity impacts being addressed.
- **Long Melford**  
Unable to provide comments as the 1<sup>st</sup> December Parish Council meeting did not take place.

*Officer note: an earlier response was received when this application was in the format of a 'reserved matters' application. Long Melford Parish Council confirmed that they had no comments to make.*

- **Sudbury**  
No updated response has been received at the time of writing. However, an earlier responses noted that the Town Council recommended approval.

### **National Consultee Responses**

- **Anglian Water**

No comment.

- **Historic England**  
No comment.
- **Ministry of Defence**  
No objection.
- **Natural England**  
No comment.
- **National Highways**  
No objection.

### **County Council Responses**

- **Development Contributions**  
No comment.
- **Fire and Rescue**  
No comment.
- **Highways**  
No objection subject to conditions on 1) associated infrastructure details to be submitted, 2) access details to be submitted and 3) Construction Management Plan to be submitted.

### **Internal Consultee Responses**

- **Environmental Health- Air Quality**  
No comment.
- **Environmental Health- Noise, Odour, Light and Smoke**  
No objection subject to conditions on 1) plant room to be constructed in accordance with submitted details, 2) Louvres to plant room have acoustic performance of submitted details, 3) solid element of screen to plant area to be constructed in accordance with submitted details, 4) single bank louvre to be constructed in accordance with submitted details, 5) Noise levels of ASHPs shall not exceed submitted details, 6) lighting details to be submitted, 7) Construction Management Plan to be submitted.
- **Environmental Health- Sustainability**  
No objection but note that space and water heating of the buildings it will serve should not undermine the requirement for such buildings to also be constructed efficiently.
- **Place Services- Ecology**  
No objection but note that the landscaping should utilise native species.
- **Place Services- Landscaping**  
No objection subject to conditions on 1) soft landscaping scheme and 2) planting schedule.
- **Public Realm**

Support the inclusion of wildflowers and native trees, however additional biodiversity enhancement opportunities have been missed by surrounding the plant with a non-native hedge.

### **Other Consultee Responses**

- **Sudbury Ramblers**

Object to the location of the heat hub which should be protected as open space as part of the Chilton Woods development.

### **B: Representations**

At the time of writing this report at least 4 letters/emails/online comments have been received. It is the officer opinion that this represents 4 objections. A verbal update will be provided as necessary at Committee should subsequent representations be received.

Views are summarised below:-

- Biodiversity issues
- Undermines recreational enjoyment of the Public Right of Way
- Loss of green space
- Industrial appearance
- Chilton Woods will not have any woods
- Devalue lagoon for Great Crested Newts
- Loss of hedgerows
- Undermine County Wildlife Site
- Break migratory routes

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

### **PLANNING HISTORY**

It should be noted that the planning history below relates to the Chilton Woods Development granted Outline Planning Permission. As is noted elsewhere within this report the current application is for Full Planning Permission rather than any Reserved Matters.

<b>REF:</b> DC/20/04763	Application for Non Material Amendment following approval of B/15/01718 - Revisions to the land parameter plans.	<b>DECISION:</b> GTD 09.11.2020
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<b>REF:</b> DC/20/05183	Reserved matters application for Phase 1 (Infrastructure) (matters relating to layout, scale, appearance and landscaping) for the installation of site wide infrastructure, including spine road, sustainable drainage scheme and associated services, infrastructure, landscaping and ecological enhancements details pursuant to Outline Planning Permission ref. B/15/01718, dated 29th March 2018 (Outline application (with all matters reserved except for access) - Erection of up to 1,150 dwellings (Use Class	<b>DECISION:</b> GTD 29.04.2021
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C3); 15ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network energy centre); village centre (comprising up to 1,000m<sup>2</sup> Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary works.)

<b>REF:</b> DC/20/05269	Discharge of Conditions Application for B/15/01718- Condition 29 (Levels) and Condition 38 (Hard and Soft Landscaping Scheme- Part Discharge)	<b>DECISION:</b> GTD 05.05.2021
<b>REF:</b> DC/20/05270	Discharge of Conditions Application for B/15/01718- Condition 9 (Surface Water Drainage Scheme), Condition 10 (Implementation, Maintenance and Management) and Condition 28 (Foul Water Drainage Strategy)	<b>DECISION:</b> GTD 18.06.2021
<b>REF:</b> DC/20/05724	Discharge of Conditions Application for B/15/01718- Condition 38 (Hard and Soft Landscaping Scheme) Part discharge for western boundary.	<b>DECISION:</b> GTD 15.01.2021
<b>REF:</b> DC/21/00696	Non-Material Amendment sought following Outline Planning Permission B/15/01718 dated 29/03/2018 - Revision of Land Use Parameter Plan to rectify inconsistencies on plan	<b>DECISION:</b> GTD 11.03.2021
<b>REF:</b> DC/21/01166	Discharge of Conditions Application for B/15/01718- Condition 38 (Hard and Soft Landscaping Scheme) (Part discharge for western boundary)	<b>DECISION:</b> GTD 21.04.2021
<b>REF:</b> DC/21/01460	Discharge of Conditions Application for B/15/01718- Condition 8 (Design Code)	<b>DECISION:</b> GTD 13.08.2021
<b>REF:</b> DC/21/02764	Reserved Matters application for Residential Phase 1 (matters relating to Appearance, Landscaping, Layout and Scale) comprising erection of 200 no. dwellings, residential	<b>DECISION:</b> GTD 01.09.2021

amenities, open space, drainage, parking and associated development and pursuant to Outline Planning Permission B/15/01718 dated: 29/03/18 (Outline application (with all matters reserved except for access) - Erection of up to 1,150 dwellings (Use Class C3); 15ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network energy centre); village centre (comprising up to 1,000m2 Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary works) Chilton Woods Mixed Development To North Of Woodhall Business Park Sudbury Suffolk

<b>REF:</b> DC/21/02883	Discharge of Conditions Application for B/15/01718- Condition 4 (Phasing Scheme)	<b>DECISION:</b> GTD 15.12.2021
<b>REF:</b> DC/21/03735	Discharge of Conditions Application for B/15/01718- Condition 12 (Construction Surface Water Management Plan), Condition 32 (Phase 2 Geo-environmental risk assessment), Condition 36 (Landscape Management Plan), Condition 39 (Ecological Management Plan), Condition 41 (Light appliances) and Condition 43 (On-site open space scheme) (Part discharge of conditions 12, 32, 39, 41 and 43 for Phase 1 Infrastructure and Residential)	<b>DECISION:</b> GTD 01.03.2022
<b>REF:</b> DC/21/04056	Discharge of Conditions Application for B/15/01718- Condition 30 (Construction Environmental Management Plan)	<b>DECISION:</b> GTD 24.12.2021
<b>REF:</b> DC/21/06644	Discharge of Conditions Application for DC/21/02764 - Condition 2 (Materials) and Condition 3 (Surfacing Materials)	<b>DECISION:</b> GTD 22.07.2022
<b>REF:</b> DC/22/00315	Discharge of Conditions Application for B/15/01718- Condition 33 (Archaeological Works) (Part discharge for Phase 1 Residential and Infrastructure)	<b>DECISION:</b> GTD 01.03.2022

<b>REF:</b> DC/22/00324	Discharge of Conditions Application for B/15/01718- Condition 18 (Waste Disposal Strategy) (Part Discharge for Phase 1 Residential)	<b>DECISION:</b> PGR 20.06.2022
<b>REF:</b> DC/22/00732	Discharge of Conditions Application for DC/21/02764- Condition 4 (Noise Assessment)	<b>DECISION:</b> GTD 03.03.2022
<b>REF:</b> DC/22/01386	Discharge of Conditions Application for B/15/01718- Condition 22 (Electronic Vehicle Charging Points) (Part Discharge for Phase 1 Residential)	<b>DECISION:</b> GTD 11.05.2022
<b>REF:</b> DC/22/01593	Application for a Non-Material Amendment following Reserved Matters Approval DC/20/05183 (Outline Planning Permission ref. B/15/01718) - Modifications to the siting and detailing of the Drainage Basins.	<b>DECISION:</b> GTD 05.05.2022
<b>REF:</b> DC/22/01855	Full Planning Application - Construction of a temporary access off Acton Lane servicing the sales homes units on Phase 1 of the Chilton Woods Development for a period of three years.	<b>DECISION:</b> GTD 10.06.2022
<b>REF:</b> DC/22/02332	Discharge of Conditions Application for DC/20/05183 - Condition 4 (Ecological Appraisal Recommendations), Condition 5 (Dormouse), Condition 6 (Mitigation Licence for Great Crested Newts), Condition 7 (Construction Environmental Management Plan for Biodiversity), Condition 8 (Farmland Bird Mitigation Strategy), Condition 9 (Biodiversity Enhancement Strategy) and Condition 10 (Wildlife Sensitive Lighting Design Scheme)	<b>DECISION:</b> WDN 22.09.2022
<b>REF:</b> DC/22/02333	Discharge of Conditions Application (Partial discharge for Phase II Residential) for B/15/01718 - Condition 9 (Surface Water Drainage Scheme), Condition 10 (Implementation, Maintenance and Management of Surface Water Drainage Scheme), Condition 12 (Construction Surface Water Management Plan), Condition 28 (Foul Water Drainage Strategy), Condition 29 (Levels) and Condition 38 (Hard and Soft Landscaping Scheme)	<b>DECISION:</b> PCO
<b>REF:</b> DC/22/02336	Application for approval of Reserved Matters	<b>DECISION:</b> PCO



(matters relating to appearance, scale, layout and landscaping) for Phase II - Erection of 242no. dwellings, residential amenities, open space, parking and associated development details pursuant to Outline Planning Permission B/15/01718 dated 29.03.2018

<b>REF:</b> DC/22/02406	Discharge of Conditions Application for B/15/01718- Condition 11 (Flood Risk Asset Register) (Part discharge for Phase 1 Infrastructure and Residential)	<b>DECISION:</b> REF 06.07.2022
<b>REF:</b> DC/22/02501	Discharge of Conditions Application for B/15/01718 - Condition 31 (Dormouse License)	<b>DECISION:</b> WDN 14.09.2022
<b>REF:</b> DC/22/03078	Application for the Modification of a Section 106 Planning Obligation - Variation of S106 legal agreement dated 29.03.2018 relating to B/15/01718.	<b>DECISION:</b> PCO
<b>REF:</b> DC/22/03255	Discharge of Conditions Application for DC/20/05183 - Condition 13 (Written Scheme of Investigation)	<b>DECISION:</b> PGR 31.08.2022
<b>REF:</b> DC/22/03256	Discharge of Conditions Application for DC/20/05183 - Condition 2 (Fire Hydrants)	<b>DECISION:</b> GTD 16.09.2022
<b>REF:</b> DC/22/04780	Application for a Non-Material Amendment relating to Reserved Matters Approval DC/21/02764 - Installation of Air Source Heat Pumps for Plots 152 and 153	<b>DECISION:</b> PCO
<b>REF:</b> B/15/01718	Outline application (with all matters reserved except for access) - Erection of up to 1,150 dwellings (Use Class C3); 15ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network energy centre); village centre (comprising up to 1,000m2 Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary works.	<b>DECISION:</b> GTD 29.03.2018

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## PART THREE – ASSESSMENT OF APPLICATION

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### 1. The Site and Surroundings

- 1.1. This application for a community heat network ('heat hub') lies within a small area extending 0.08 hectares, located northeast of the Chilton Woods development. This application site falls within the land allocation relating to Chilton Woods, however by virtue of the Non-Material Amendment application (DC/22/05967), this application site would fall outside of the areas identified for development to take place as part of Chilton Woods. The site also lies to the northwest of the Chilton Place residential site (granted under DC/17/04052 and DC/19/04650). The site sits within the countryside but is a short distance away from Sudbury (Town).
- 1.2. The nearest noise sensitive receptors to the site are the Waldingfield Airfield County Wildlife Site (35 metres to the northeast) and Chilton Place (48 metres to the east), with future phases 5 and 6 of the Chilton Woods residential development also nearby (105 metres northwest and 55 metres southwest respectively).
- 1.3. The site itself is not within any specifically designated area for planning policy purposes (landscape, recreational, historic or ecological). The site is not vulnerable to any form of fluvial flooding. There is a Public Right of Way (footpath) running northeast of the site, however it is entirely outside of the application site. An approved SuDS basin runs to the west of the site.

### 2. The Proposal

- 2.1. The proposed development seeks the erection of a community heat network (referred to as a heat hub) which comprises of a mixture of air source heat pumps (ASHPs) and thermal stores (TSs) with associated boiler pumps, controls, transformer, electricity meter and substation which forms a renewable energy development. The heat hub would be contained within a secure compound with associated landscaping surrounding the site.
- 2.2. It is noted that the application format has changed during processing and responds to the recent Supreme Court judgment in *Hillside Parks Ltd v Snowdonia National Park Authority* [2022] UKSC 30.
- 2.3. 'Metropolitan' who will be delivering the heat hub produced an initial carbon assessment of the development. Whilst this does not account for the total amount of carbon emissions nor the inclusion of energy efficiency measures, such as solar PV it provides a general overview of the benefits associated with this heat hub. This Heat Hub is projected to offer a 68% carbon saving over 3 years compared to the installation of gas boilers in the Chilton Woods development and this saving is then projected to increase to in excess of 80% post 2025 (accounting for Future Homes Standards and reduced electricity carbon factors).<sup>2</sup>

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<sup>2</sup> 'Future Homes Standards' is a proposed uplift in Part L (conservation or fuel and power) of Building Regulations (future proofing new homes through increasing energy efficiency and low carbon heating). Electricity carbon factors

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### 3. The Principle of Development

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with the plan unless material considerations indicate otherwise. In considering development plan principle the following policies are considered most relevant to the decision to be made.
- 3.2. Policy CS1 replicates the terms of the NPPF, adopting a general presumption in favour of sustainable development as set out under paragraph 11 of the NPPF.
- 3.3. Under policy CS2, the application site is located within the countryside, outside of any settlement boundary. Policy CS2 sets out that development will only be permitted in exceptional circumstances. This approach to development in the countryside is overly restrictive and is therefore not wholly consistent with the NPPF. Nonetheless, in considering the range of other policies and objectives of Babergh's Core Strategy, as explored further in subsequent paragraphs, this proposed heat hub is considered to be a justified and exceptional circumstance which is permissible within the countryside, such that the proposal would comply with policy CS2.
- 3.4. The proposed heat hub is a pioneering scheme delivering a decentralised air source heating network servicing a major residential development in excess of 900 dwellings. It represents the first scheme of its kind being promoted in the UK to serve residential development. Taylor Wimpey have collaboratively worked with Metropolitan and GTC to facilitate the delivery of the energy centre and will be responsible for the ongoing maintenance and operation of the energy centre throughout the life cycle of the development. Metropolitan source electricity to power energy infrastructure in advance which in turn ensures that the heating provided to dwellings within Chilton Woods remains stable regardless of instability in the energy market. As noted at point 2.3, the heat hub would significantly reduce carbon emissions than if the dwellings were powered by gas, which is notably still permissible under current building regulations. Therefore, there are significant environmental sustainability benefits attached to this scheme which strongly align with the Council's own objectives in addressing the 'climate emergency'.
- 3.5. Whilst the site may technically be within the countryside, it does however fall within the area covered by the strategic allocation for the Chilton Woods development under policy CS4. Whilst a community heat network/heat hub is not explicitly mentioned within this policy, the policy does not preclude the delivery of networked heating infrastructure and such networks are a growing feature of planned development nationally and internationally. Similarly, the delivery of a heat hub would not prejudice the delivery of those explicitly mentioned aspects of the Chilton Woods development within the criteria to policy CS4. On the basis it is considered that a community heating network delivered by means of a heat hub is not in conflict with the strategic housing allocation in policy CS4 and would positively support its sustainable delivery.
- 3.6. Policy CS13 specifically deals with the delivery of renewable and low carbon energy to support strategic allocations. The proposed heat hub is a form of renewable energy development, as such its acceptability is to be assessed under Core Strategy development plan policy CS13. Policy CS13 seeks to support renewable and low carbon energy which would reduce reliance on fossil

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forms part of SAP (Standard Assessment Procedure) calculations and directly relates to measuring compliance with Part L of Building Regulations. Electricity Carbon Factors will therefore inevitably reduce if Future Homes Standards' is adopted.

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fuels and reduce carbon dioxide emissions, especially in the context of strategic allocations (including Chilton Woods under policy CS4).

- 3.7. Policy CS13 is consistent with and attracts support from chapter 14 of the NPPF in tackling climate change, and specifically from paragraphs 152 and 158. IN particular paragraph 152 states:

*“152. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”*

- 3.8. Policy CS15 sets out criteria for delivering sustainable development through nineteen points. Criterion viii is of particular relevance to this application (amongst others including i and ii), as it seeks to fight climate change through environmentally sustainable developments, including through ‘sources of renewable or low-carbon energy’. A heat hub helping to deliver a community heat network thus accords with policy CS15.
- 3.9. This development is linked to Chilton Woods, in so far as it would generate and feed renewable energy to heat part of the Chilton Woods development being delivered on the adjacent land in accordance with outline permission B/15/01718. Whilst this proposed heat hub directly lies outside the Chilton Woods development area within the Outline Planning Permission, it would be integrated with the Chilton Woods strategic allocation and the emerging residential development, visually and functionally, and would support a reduction in the future occupants of Chilton Woods’ reliance on fossil fuels.
- 3.10. The principle of this proposed community heat network (heat hub) is therefore acceptable with regard to policies CS1, CS2, CS4, CS13 and CS15 and paragraphs 152 and 158 of the NPPF.

#### **4. Site Access, Parking and Highway Safety Considerations**

- 4.1. The site would be accessed via part of the previously approved (DC/20/05183) spine road serving the Chilton Woods development. A condition is recommended to ensure that the adjacent accessway is available to a satisfactory standard for the construction, maintenance and management of this heat hub facility in a programmed way concurrent with its development. There is sufficient hardstanding to the southern side of the heat hub off of the access road to facilitate a level of off-road parking that may be required for maintenance from time to time
- 4.2. SCC Highways raised no objection to the proposal, but recommended conditions in relation to the submission of additional details of the infrastructure associated with the heat hub (access, pipe network, routes and locations and expansion loops) and a construction management strategy.
- 4.3. In relation to these aspects, the proposal would therefore accord with policy CS15 and paragraphs 110 and 111 of the NPPF.

#### **5. Design and Layout**

- 5.1. In addition to policies CS13 and CS15 (criteria i, ii and viii) which directly relate to landscape impacts, character impacts and renewable energy developments respectively, as discussed earlier in this report, Local Plan policy CN01 is also engaged. Policy CN01 requires new development to be of an appropriate scale, form, design and materials in relation its location.

Paragraph 130 of the NPPF also seeks to secure high quality design in developments that respects its surroundings.

- 5.2. A timber boundary compound (which acts as an acoustic screen) would entirely enclose the three ASHP, two TS and boilers, pumps, controls and transformer. The fenced compound would measure 4 metres in height, 27 metres in length and 17 metres in width, with three gated emergency access doors within the fenced compound on the northern, eastern and southern elevations.
- 5.3. The ASHPs would measure 4.5 metres in height and the TS would have a maximum height of 7.5 metres in height. These are functional and utilitarian structures, and their form follows their function. In design terms it is considered that this is an appropriate approach to design and layout. A condition is therefore recommended to confirm the final height to ensure there would not be any materially different visual and landscape impacts beyond those impacts that have been considered under this application.
- 5.4. The ASHPs would be marginally visible above the fenced compound by 0.5 metres but would have flat roofs and would be grey in colour minimising visual intrusion. The TSs have a silo structure and are proposed to be a coated galvanised steel which would be olive green in colour and would be a maximum of 3.5 metres above the fenced compound.
- 5.5. Acoustic louvres are proposed along the northern, eastern and southern elevations. Such louvres would be lower than the fencing and would allow air movement but prevent noise egress.
- 5.6. Stainless steel lettering would be mounted on the timber fencing along the southern elevation reading 'Chilton Woods Community Heat Hub'.
- 5.7. A brickwork substation is proposed to the southern part of the site, measuring 3.365 metres in width, 4.715 metres in length and a total height of 2.6 metres with a flat roof. The substation would sit on a concrete surface.
- 5.8. Outside of the fenced compound there would be a hoggin surface with timber edging which would separate the compound from a post and rail fence. On the outside of the post and rail fence a hedgerow (maintained between 1.5 metres and 1.8 metres high) is proposed. A single pedestrian (padlocked) sliding bar gated access would sit within the hedgerow along the northern boundary. Two additional 2-metre-wide timber field gates for maintenance access are also proposed to the east and south of the compound.
- 5.9. As to be expected with energy related developments, the proposed heat hub has a utilitarian function and as such its external appearance directly reflects its functionality. In order to mitigate the design presence of this utilitarian facility, a range of measures including hard and soft landscaping, colours and materials have been used to minimise potential adverse visual impacts. With this suite of mitigation, it is considered that the design, layout and immediate external appearance of the development is acceptable.
- 5.10. The proposal would accord with policies CS13, CS15 and CN01 and paragraph 130 of the NPPF.

## **6. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

- 6.1. Policies CS13, CS15 (criteria i, ii and vii which relate to landscape and biodiversity matters) are engaged alongside Local Plan policy CR07. Policy CR07 requires development to be

appropriately landscaped to reflect and integrated with the surrounding landscape through species, approach and extent. Paragraph 174 of the NPPF requires development to contribute and enhance the natural environment.

- 6.2. The landscaping scheme as submitted includes a range of soft and hard landscaping around the fenced compound, as detailed within the design and layout section of this report. The proposed landscaping would ensure that the site integrates with the surrounding open space which forms part of the Chilton Woods development. Notwithstanding the submitted information relating to the proposed hedgerow around the post and rail fence, the specific species of the hedgerow is to be agreed via condition.
- 6.3. Place Services Landscaping initially raised concerns in relation to visual impact of the structures in terms of their visibility within and around the site. A Landscape and Visual Appraisal was subsequently submitted in support of the application. Following initial concerns around the colour of the TS as the most visible part of the development, the TS have been confirmed to be olive green in colour, which is considered acceptable, noting that such colour is likely to blend in with vegetation when viewed from the open countryside to the east.
- 6.4. The Landscape and Visual Appraisal concludes that the landscape effects will be extremely localised and largely confined to the site and public footpaths north, owing to the site's topography and existing screening further afield. The Appraisal notes that some of the localised visual impacts could be reduced through the planting of the community woodland. The community woodland cannot however be conditioned to be planted in advance of this development as it lies outside of the site and is tied to Chilton Woods Outline Planning Permission. Whilst such woodland cannot be planted at this stage, the Landscape and Visual Appraisal does however conclude that as subsequent phases of residential development are delivered, public views will change, and the heat hub will be set against a suburban backdrop in the long term, regardless of the community woodland. The benefits attached to advanced planting of the community woodland would primarily be in the short term, as such, the landscape impacts from a lack of advanced woodland planting are therefore not considered to be significant in the long term.
- 6.5. Conditions to secure an appropriate soft landscaping scheme and timetable for its planting are recommended to be secured via condition. As part of the soft landscaping scheme Place Services and Public Realm recommended that native species and trees with a minimum girth of 12- 14 cm (heavy standard) are incorporated.
- 6.6. Place Services Ecology raised no objection from the perspective of impact on protected species and biodiversity, including the County Wildlife Site, having reviewed the submitted scheme and ecology briefing note. A range of acoustic louvres are applied around the heat hub to ensure that the noise levels at the nearest sensitive wildlife sites are acceptable. Furthermore, a wildlife sensitive lighting scheme is recommended to be secured via condition.
- 6.7. On this basis, the proposed development is considered to reasonably mitigate landscape impacts and is considered to accord with policies CS13, CS15 and CR07 and paragraph 174 of the NPPF.

## **7. Impact on Residential Amenity**

- 7.1. The Council's Environmental Health Team have assessed the heat hub from the perspective of noise, odour, light and smoke and raise no objection subject to a range of conditions relating to construction (including a Construction Management Plan), noise mitigation and external lighting which are reflected in the recommendation of this report.

- 7.2. The proximity of both existing and consented dwellings (on both the Chilton Woods site and the Chilton Place Site) has been taken into account in the assessment of impacts to residential amenity, as well as the impact on wildlife sites, as discussed above in section 6.
- 7.3. The proposed development would comply with policies CS15 and CN01 and paragraph 130 of the NPPF.

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## **PART FOUR – CONCLUSION**

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### **8. Planning Balance and Conclusion**

- 8.1. Decision taking begins with the development plan and it is of vital importance that planning decisions are plan-led. The NPPF, an important material consideration, reiterates this fundamental point and itself bears upon the nature of the development itself.
- 8.2. The basket of development plan policies of most importance and relevance to this decision are Core Strategy policies CS1, CS2, CS4, CS13 and CS15 and Local Plan policies CN01 and CR07. Taken in the round it is considered that the development accords with the development plan.
- 8.3. The development is also compliant with key aspects of the NPPF, specifically Chapter 14, as it would support the delivery of renewable low-carbon energy. It is considered that the development would accord with the policy objectives of the NPPF and garners support from that as a material consideration.
- 8.4. The proposed development complies with the development plan as a whole and the material consideration do not indicate that the application is otherwise unacceptable. In accordance with policy CS1 and paragraph 11c) of the NPPF, the proposal is a sustainable form of development and planning permission should therefore be granted for the erection and installation of the proposed heat hub.

### **RECOMMENDATION**

That authority be delegated to the Chief Planning Officer to GRANT full planning permission at the conclusion of publicity and consultation periods subject to conditions (and any additional conditions as may be considered necessary by the Chief Planning Officer), in the event that any representations or consultation responses raise no new material planning issues.

#### **Conditions**

- Three-year time limit for commencement
- Approved plans
- Final height of Thermal Stores to be submitted and not exceed a maximum 7.5 metres height Above Ground Level
- Height of post and rail fence and timber field gates to be submitted
- Thermal stores to be olive green in colour
- Specific material details to be submitted
- External lighting details to be submitted
- Wildlife sensitive lighting scheme to be submitted

- Soft landscaping scheme to be submitted (to include native species)
- Soft landscaping scheme planting timetable to be submitted (to include details of advanced planting)
- Details of associated infrastructure to be submitted
- Construction Management Plan to be submitted
- Full access details to be submitted
- Timetable for constructing accessway to be submitted
- Details of securing the front access of the site to be submitted

#### Informatives

- Proactive working with pre-app